

SENATE BILL 99

Unofficial Copy  
O4  
SB 605/03 - FIN

2004 Regular Session  
4lr0591  
CF 4lr1290

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By: **Senators Kelley, Britt, Della, Exum, Garagiola, Gladden, Hollinger,  
Hughes, Jones, Lawlah, Middleton, and Stone**

Introduced and read first time: January 19, 2004  
Assigned to: Finance

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: February 10, 2004

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **~~Children's Group Home Residential Child Care~~ Programs - Certification of**  
3 **Program Administrator**

4 FOR the purpose of establishing the State Board for Certification of ~~Children's Group~~  
5 ~~Home Residential Child Care~~ Program Administrators; specifying the  
6 membership, powers, and duties of the Board; establishing the terms of and  
7 requirements for certain members of the Board; authorizing the Board to  
8 employ certain staff in accordance with the budget of the Board; establishing a  
9 State Board for Certification of ~~Children's Group Home Residential Child Care~~  
10 Program Administrators Fund; establishing certain immunity from liability for  
11 certain persons under certain circumstances; requiring an individual to be  
12 certified before the individual may administer a children's group home program  
13 licensed by certain State departments; establishing certain procedures in the  
14 event that a program administrator leaves or is removed; specifying the  
15 qualifications for certain certificates; specifying application procedures for  
16 certain applications; authorizing the issuance and renewal of certain  
17 certificates; authorizing certain individuals with certificates to administer  
18 certain programs; providing for the expiration and renewal of certain  
19 certificates; establishing certain grounds for discipline; requiring the Board to  
20 provide certain hearing procedures before certain individuals may be disciplined  
21 under this Act; prohibiting certain acts; making certain exceptions; establishing  
22 certain penalties; establishing a certain date by which all licensed ~~children's~~  
23 ~~group home residential child care~~ programs shall have certified program  
24 administrators; providing that the State Board for Certification of ~~Children's~~  
25 ~~Group Home Residential Child Care~~ Program Administrators is subject to the  
26 provisions of the Maryland Program Evaluation Act; defining certain terms;  
27 stating the intent of the General Assembly that certain funds be included in the

1 State budget for certain purposes and that when certain special funds become  
2 available, the special funds be used to reimburse the General Fund; and  
3 generally relating to the certification of individuals to administer ~~children's~~  
4 ~~group home~~ residential child care programs.

5 BY renumbering

6 Article - State Government  
7 Section 8-403(b)(13) through (70), respectively  
8 to be Section 8-403(b)(14) through (71), respectively  
9 Annotated Code of Maryland  
10 (1999 Replacement Volume and 2003 Supplement)

11 BY repealing and reenacting, without amendments,

12 Article - Health Occupations  
13 Section 1-101(a), (b), (d), (e), (h), (j), (k), and (l)  
14 Annotated Code of Maryland  
15 (2000 Replacement Volume and 2003 Supplement)

16 BY adding to

17 Article - Health Occupations  
18 Section 20-101 through 20-502, inclusive, to be under the new title "Title 20.  
19 ~~Children's Group Home~~ Residential Child Care Program Administrators"  
20 Annotated Code of Maryland  
21 (2000 Replacement Volume and 2003 Supplement)

22 BY repealing and reenacting, without amendments,

23 Article - State Government  
24 Section 8-403(a)  
25 Annotated Code of Maryland  
26 (1999 Replacement Volume and 2003 Supplement)

27 BY adding to

28 Article - State Government  
29 Section 8-403(b)(13)  
30 Annotated Code of Maryland  
31 (1999 Replacement Volume and 2003 Supplement)

32 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
33 MARYLAND, That Section(s) 8-403(b)(13) through (70), respectively, of Article -  
34 State Government of the Annotated Code of Maryland be renumbered to be Section(s)  
35 8-403(b)(14) through (71), respectively.

36 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
37 read as follows:

**Article - Health Occupations**

1

2 1-101.

3 (a) In this article the following words have the meanings indicated.

4 (b) "Board of Review" means the Board of Review of the Department.

5 (d) "Department" means the Department of Health and Mental Hygiene.

6 (e) "Household member" means someone who is:

7 (1) The individual's:

8 (i) Spouse;

9 (ii) Son;

10 (iii) Daughter;

11 (iv) Ward; or

12 (v) Parent; or

13 (2) The individual's relative:

14 (i) Who shares the individual's legal residence; or

15 (ii) Whose financial affairs are under the legal or actual control of  
16 the individual.17 (h) "Person" means an individual, receiver, trustee, guardian, personal  
18 representative, fiduciary, or representative of any kind and any partnership, firm,  
19 association, corporation, or other entity.

20 (j) "Secretary" means the Secretary of Health and Mental Hygiene.

21 (k) "State" means:

22 (1) A state, possession, or territory of the United States;

23 (2) The District of Columbia; or

24 (3) The Commonwealth of Puerto Rico.

25 (l) "Substantial financial interest" means:

26 (1) An asset with a fair market value of \$1,000 or more; or

27 (2) A source of income of \$500 or more in a calendar year.

1 TITLE 20. ~~CHILDREN'S GROUP HOME~~ RESIDENTIAL CHILD CARE PROGRAM  
2 ADMINISTRATORS.

3 SUBTITLE 1. DEFINITIONS.

4 20-101.

5 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

6 (B) (1) "AGENCY" MEANS:

7 (I) THE DEVELOPMENTAL DISABILITIES ADMINISTRATION IN THE  
8 DEPARTMENT;

9 (II) THE DEPARTMENT;

10 (III) THE DEPARTMENT OF HUMAN RESOURCES;

11 (IV) THE DEPARTMENT OF JUVENILE SERVICES; AND

12 (V) THE MENTAL HYGIENE ADMINISTRATION IN THE  
13 DEPARTMENT.

14 (2) "AGENCY" INCLUDES THE STATE SUPERINTENDENT OF SCHOOLS.

15 (C) "BOARD" MEANS THE STATE BOARD FOR CERTIFICATION OF ~~CHILDREN'S~~  
16 ~~GROUP HOME~~ RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS.

17 (D) "CERTIFICATE" MEANS, UNLESS THE CONTEXT REQUIRES OTHERWISE, A  
18 CERTIFICATE ISSUED BY THE BOARD TO ADMINISTER A ~~CHILDREN'S GROUP HOME~~  
19 RESIDENTIAL CHILD CARE PROGRAM.

20 (E) "CERTIFIED PROGRAM ADMINISTRATOR" MEANS, UNLESS THE CONTEXT  
21 REQUIRES OTHERWISE, AN INDIVIDUAL WHO IS:

22 (1) CERTIFIED BY THE BOARD; AND

23 (2) RESPONSIBLE FOR THE DAY-TO-DAY OPERATION OF A ~~CHILDREN'S~~  
24 ~~GROUP HOME~~ RESIDENTIAL CHILD CARE PROGRAM.

25 (F) (1) ~~"CHILDREN'S GROUP HOME~~ "RESIDENTIAL CHILD CARE PROGRAM"  
26 MEANS AN ENTITY THAT PROVIDES FOR CHILDREN 24-HOUR PER DAY CARE WITHIN  
27 A STRUCTURED SET OF SERVICES AND ACTIVITIES THAT ARE DESIGNED TO ACHIEVE  
28 SPECIFIC OBJECTIVES RELATIVE TO THE NEEDS OF THE CHILDREN SERVED AND  
29 THAT INCLUDE THE PROVISION OF FOOD, CLOTHING, SHELTER, EDUCATION, SOCIAL  
30 SERVICES, HEALTH, MENTAL HEALTH, RECREATION, OR ANY COMBINATION OF  
31 THESE SERVICES AND ACTIVITIES.

32 (2) ~~"CHILDREN'S GROUP HOME~~ "RESIDENTIAL CHILD CARE PROGRAM"  
33 INCLUDES A PROGRAM:

1                    ~~(F)~~     RESIDENTIAL FACILITIES FOR CHILDREN WITH  
2 ~~DEVELOPMENTAL DISABILITIES;~~

3                    ~~(H)~~     CHILD CARE HOMES;

4                    ~~(HI)~~    CHILD CARE INSTITUTIONS;

5                    ~~(IV)~~    THERAPEUTIC GROUP HOMES; AND

6                    ~~(V)~~     GROUP HOMES, AS THOSE TERMS ARE DEFINED BY STATE LAW.

7     ~~(G)~~     ~~(I)~~     "PROGRAM" MEANS A CHILDREN'S GROUP HOME PROGRAM  
8 ~~LICENSED BY:~~

9                    ~~(I)~~     THE DEVELOPMENTAL DISABILITIES ADMINISTRATION IN THE  
10 ~~DEPARTMENT;~~

11                   ~~(II)~~    THE DEPARTMENT;

12                   ~~(III)~~   THE DEPARTMENT OF HUMAN RESOURCES;

13                   ~~(IV)~~   THE DEPARTMENT OF JUVENILE SERVICES; OR

14                   ~~(V)~~     THE MENTAL HYGIENE ADMINISTRATION IN THE  
15 ~~DEPARTMENT.~~

16                   ~~(2)~~     "PROGRAM" DOES NOT INCLUDE A STATE OPERATED CHILDREN'S  
17 ~~GROUP HOME PROGRAM FACILITY OF THE MENTAL HYGIENE ADMINISTRATION IN~~  
18 ~~THE DEPARTMENT.~~

19                   ~~(I)~~     LICENSED BY:

20                             1.     THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

21                             2.     THE DEPARTMENT OF HUMAN RESOURCES; OR

22                             3.     THE DEPARTMENT OF JUVENILE SERVICES; AND

23                   ~~(II)~~    THAT IS SUBJECT TO THE LICENSING REGULATIONS OF THE  
24 OFFICE FOR CHILDREN, YOUTH, AND FAMILIES GOVERNING THE OPERATIONS OF  
25 RESIDENTIAL CHILD CARE PROGRAMS.

26     ~~(H)~~     ~~(G)~~     "PROGRAM ADMINISTRATOR" MEANS THE INDIVIDUAL RESPONSIBLE  
27 FOR THE DAY-TO-DAY OPERATION OF A ~~CHILDREN'S GROUP HOME~~ RESIDENTIAL  
28 CHILD CARE PROGRAM.

29     ~~(F)~~     ~~(H)~~     "SUBCABINET" MEANS THE SUBCABINET FOR CHILDREN, YOUTH,  
30 AND FAMILIES ESTABLISHED UNDER ARTICLE 49D, § 4.1 OF THE CODE.

1 SUBTITLE 2. STATE BOARD FOR CERTIFICATION OF ~~CHILDREN'S GROUP HOME~~  
2 RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS.

3 20-201.

4 THERE IS A STATE BOARD FOR CERTIFICATION OF ~~CHILDREN'S GROUP HOME~~  
5 RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS IN THE DEPARTMENT.

6 20-202.

7 (A) (1) THE BOARD CONSISTS OF 11 MEMBERS.

8 (2) OF THE 11 BOARD MEMBERS:

9 (I) SIX MEMBERS SHALL BE APPOINTED AS FOLLOWS:

10 1. TWO BY THE SECRETARY OF HEALTH AND MENTAL  
11 HYGIENE, ONE EACH FOR THE DEVELOPMENTAL DISABILITIES ADMINISTRATION  
12 AND THE MENTAL HYGIENE ADMINISTRATION;

13 2. ONE BY THE SECRETARY OF JUVENILE SERVICES FOR THE  
14 AGENCY;

15 3. ONE BY THE SECRETARY OF HUMAN RESOURCES FOR THE  
16 AGENCY;

17 4. ONE BY THE STATE SUPERINTENDENT OF SCHOOLS; AND

18 5. ONE BY THE SUBCABINET; AND

19 (II) FIVE SHALL BE APPOINTED BY THE GOVERNOR.

20 (3) OF THE FIVE APPOINTED BY THE GOVERNOR:

21 (I) THREE SHALL BE PROGRAM ADMINISTRATORS; AND

22 (II) TWO SHALL BE CONSUMER MEMBERS.

23 (B) THE GOVERNOR SHALL APPOINT MEMBERS WITH THE ADVICE AND  
24 CONSENT OF THE SENATE.

25 (C) EACH BOARD MEMBER SHALL:

26 (1) BE A UNITED STATES CITIZEN; AND

27 (2) HAVE RESIDED IN THIS STATE FOR AT LEAST 1 YEAR BEFORE  
28 APPOINTMENT TO THE BOARD.

29 (D) ~~EACH~~ A CONSUMER MEMBER OF THE BOARD:

30 (1) ~~MAY NOT BE OR EVER HAVE BEEN A PROGRAM ADMINISTRATOR;~~

1           (2)     MAY NOT HAVE A HOUSEHOLD MEMBER WHO IS A PROGRAM  
2 ADMINISTRATOR;

3           (3)     ~~MAY NOT PARTICIPATE OR EVER HAVE PARTICIPATED IN A~~  
4 ~~COMMERCIAL OR PROFESSIONAL FIELD RELATED TO ADMINISTERING A PROGRAM;~~

5           (4)     (2)     MAY NOT HAVE A HOUSEHOLD MEMBER WHO PARTICIPATES IN  
6 A COMMERCIAL OR PROFESSIONAL FIELD RELATED TO ADMINISTERING A PROGRAM;  
7 AND

8           (5)     (3)     MAY NOT HAVE HAD WITHIN 2 YEARS BEFORE APPOINTMENT A  
9 SUBSTANTIAL FINANCIAL INTEREST IN A PROGRAM REGULATED BY AN AGENCY.

10         (E)     WHILE A MEMBER OF THE BOARD, A CONSUMER MEMBER MAY NOT HAVE  
11 A SUBSTANTIAL FINANCIAL INTEREST IN A PROGRAM REGULATED BY AN AGENCY.

12         (F)     BEFORE TAKING OFFICE, EACH APPOINTEE TO THE BOARD SHALL TAKE  
13 THE OATH REQUIRED BY ARTICLE I, § 9 OF THE STATE CONSTITUTION.

14         (G)     (1)     THE TERM OF A MEMBER IS 4 YEARS.

15                 (2)     THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE  
16 TERMS PROVIDED FOR MEMBERS OF THE BOARD ON OCTOBER 1, 2004.

17                 (3)     AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A  
18 SUCCESSOR IS APPOINTED AND QUALIFIES.

19                 (4)     A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES  
20 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND  
21 QUALIFIES.

22                 (5)     A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE FULL  
23 TERMS.

24                 (6)     TO THE EXTENT PRACTICABLE, THE GOVERNOR SHALL FILL ANY  
25 VACANCY ON THE BOARD WITHIN 60 DAYS OF THE DATE OF THE VACANCY.

26         (H)     (1)     THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE,  
27 MISCONDUCT, INCAPACITY, OR NEGLECT OF DUTY.

28                 (2)     ON THE RECOMMENDATION OF THE SUBCABINET, THE GOVERNOR  
29 MAY REMOVE A MEMBER WHOM THE SUBCABINET FINDS TO HAVE BEEN ABSENT  
30 FROM TWO SUCCESSIVE BOARD MEETINGS WITHOUT ADEQUATE REASON.

31 20-203.

32         (A)     FROM AMONG ITS MEMBERS, THE BOARD ANNUALLY SHALL ELECT A  
33 CHAIRMAN, VICE CHAIRMAN, AND EXECUTIVE SECRETARY.

34         (B)     THE BOARD SHALL DETERMINE:

- 1 (1) THE MANNER OF ELECTION OF OFFICERS;  
2 (2) THE TERM OF OFFICE OF EACH OFFICER; AND  
3 (3) THE DUTIES OF EACH OFFICER.

4 20-204.

5 (A) A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE BOARD IS A  
6 QUORUM.

7 (B) THE BOARD SHALL MEET AT LEAST TWICE A YEAR, AT THE TIMES AND  
8 PLACES THAT IT DETERMINES.

9 (C) EACH MEMBER OF THE BOARD IS ENTITLED TO REIMBURSEMENT FOR  
10 EXPENSES AT A RATE DETERMINED BY THE BOARD.

11 (D) THE BOARD MAY EMPLOY STAFF IN ACCORDANCE WITH THE BUDGET OF  
12 THE BOARD.

13 (E) THE BOARD MAY APPOINT AN EXECUTIVE DIRECTOR.

14 (F) THE EXECUTIVE DIRECTOR:

- 15 (1) SERVES AT THE PLEASURE OF THE BOARD;  
16 (2) SERVES AS THE EXECUTIVE OFFICER OF THE BOARD; AND  
17 (3) HAS THE POWERS AND DUTIES ASSIGNED BY THE BOARD.

18 20-205.

19 (A) IN ADDITION TO THE POWERS AND DUTIES SET FORTH ELSEWHERE IN  
20 THIS TITLE, THE BOARD IN CONSULTATION WITH THE SUBCABINET SHALL:

- 21 (1) ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS  
22 SUBTITLE;
- 23 (2) ESTABLISH STANDARDS FOR THE CERTIFICATION OF APPLICANTS;
- 24 (3) CONDUCT A CONTINUING STUDY AND INVESTIGATION OF  
25 ~~PROGRAMS AND~~ PROGRAM ADMINISTRATORS TO IMPROVE:
- 26 (I) CERTIFICATION STANDARDS; AND  
27 (II) PROCEDURES FOR ENFORCING THESE STANDARDS; AND  
28 (4) DEVISE EXAMINATIONS AND ADOPT INVESTIGATIVE PROCEDURES  
29 TO:

1 (I) DETERMINE WHETHER PROGRAM ADMINISTRATORS MEET THE  
2 STANDARDS ADOPTED BY THE BOARD; AND

3 (II) ASSURE THAT PROGRAM ADMINISTRATORS CONTINUE TO  
4 MEET THESE STANDARDS.

5 (B) IN ADDITION TO THE DUTIES SET FORTH ELSEWHERE IN THIS TITLE, THE  
6 BOARD SHALL:

7 (1) MAINTAIN A REGISTRY OF ALL PROGRAM ADMINISTRATORS  
8 CERTIFIED BY THE BOARD;

9 (2) SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND SUBCABINET;

10 (3) ADOPT A CODE OF ETHICS THAT THE BOARD CONSIDERS  
11 APPROPRIATE AND APPLICABLE TO THE PROGRAM ADMINISTRATORS CERTIFIED BY  
12 THE BOARD;

13 (4) ESTABLISH CONTINUING EDUCATION REQUIREMENTS FOR THE  
14 PROGRAM ADMINISTRATORS CERTIFIED BY THE BOARD;

15 (5) ADOPT AN OFFICIAL SEAL; AND

16 (6) CREATE COMMITTEES AS IT DEEMS APPROPRIATE TO ADVISE THE  
17 BOARD ON SPECIAL ISSUES.

18 20-206.

19 (A) THERE IS A STATE BOARD FOR CERTIFICATION OF ~~CHILDREN'S GROUP~~  
20 HOME RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS FUND.

21 (B) (1) THE BOARD MAY SET REASONABLE FEES FOR THE ISSUANCE AND  
22 RENEWAL OF CERTIFICATES AND ITS OTHER SERVICES.

23 (2) THE FEES CHARGED SHALL BE SET TO PRODUCE FUNDS SO AS TO  
24 APPROXIMATE THE COST OF MAINTAINING THE BOARD.

25 (3) THE FUNDS TO COVER THE EXPENSES OF THE BOARD MEMBERS  
26 SHALL BE GENERATED BY FEES SET UNDER THIS SECTION.

27 (C) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO  
28 THE COMPTROLLER OF THE STATE.

29 (2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE FUND.

30 (D) (1) THE FUND SHALL BE USED TO COVER THE ACTUAL DOCUMENTED  
31 DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY  
32 DUTIES OF THE BOARD AS PROVIDED BY THE PROVISIONS OF THIS TITLE.

33 (2) THE FUND IS A CONTINUING, NONLAPSING FUND, NOT SUBJECT TO §  
34 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

1 (3) ANY UNSPENT PORTIONS OF THE FUND MAY NOT BE TRANSFERRED  
2 OR REVERT TO THE GENERAL FUND OF THE STATE, BUT SHALL REMAIN IN THE FUND  
3 TO BE USED FOR THE PURPOSES SPECIFIED IN THIS TITLE.

4 (4) EXCEPT AS OTHERWISE EXPRESSLY PROVIDED BY LAW, NO OTHER  
5 STATE MONEY MAY BE USED TO SUPPORT THE FUND.

6 (E) (1) A DESIGNEE OF THE BOARD SHALL ADMINISTER THE FUND.

7 (2) MONEYS IN THE FUND MAY BE EXPENDED ONLY FOR ANY LAWFUL  
8 PURPOSE AUTHORIZED UNDER THE PROVISIONS OF THIS TITLE.

9 (F) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND  
10 TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT  
11 ARTICLE.

12 20-207.

13 A PERSON SHALL HAVE THE IMMUNITY FROM LIABILITY DESCRIBED UNDER §  
14 5-710 OF THE COURTS ARTICLE FOR GIVING INFORMATION TO THE BOARD OR  
15 OTHERWISE PARTICIPATING IN ITS ACTIVITIES.

16 SUBTITLE 3. CERTIFICATION PROCESS.

17 20-301.

18 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ON OR AFTER  
19 OCTOBER 1, 2007, AN INDIVIDUAL SHALL RECEIVE A CERTIFICATE FROM THE BOARD  
20 BEFORE THE INDIVIDUAL MAY BE A PROGRAM ADMINISTRATOR IN THIS STATE.

21 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF A  
22 PROGRAM ADMINISTRATOR LEAVES OR IS REMOVED FROM A POSITION AS PROGRAM  
23 ADMINISTRATOR BY DEATH OR FOR ANY OTHER UNEXPECTED CAUSE, THE OWNER  
24 OF A RESIDENTIAL CHILD CARE PROGRAM OR OTHER APPROPRIATE PROGRAM  
25 AUTHORITY SHALL IMMEDIATELY DESIGNATE A CERTIFIED PROGRAM  
26 ADMINISTRATOR TO SERVE IN THAT CAPACITY.

27 (2) (I) IN THE EVENT A CERTIFIED PROGRAM ADMINISTRATOR IS NOT  
28 AVAILABLE, THE OWNER OR OTHER APPROPRIATE PROGRAM AUTHORITY MAY  
29 APPOINT A NONCERTIFIED PERSON TO SERVE IN THE CAPACITY OF ACTING  
30 PROGRAM ADMINISTRATOR FOR A PERIOD NOT TO EXCEED 180 DAYS.

31 (II) THE OWNER OR OTHER APPROPRIATE PROGRAM AUTHORITY  
32 SHALL IMMEDIATELY NOTIFY THE BOARD OF THE APPOINTMENT AND FORWARD THE  
33 CREDENTIALS OF THE PERSON APPOINTED TO THE BOARD FOR EVALUATION TO  
34 ASSURE THAT THE PERSON APPOINTED IS EXPERIENCED, TRAINED, AND  
35 COMPETENT.

1 (III) THE 180-DAY PERIOD BEGINS ON THE DATE THAT THE  
2 PROGRAM ADMINISTRATOR LEAVES OR IS REMOVED FROM THE POSITION AS A  
3 PROGRAM ADMINISTRATOR.

4 (IV) THE BOARD MAY EXTEND THE 180-DAY PERIOD FOR A  
5 FURTHER PERIOD OF NOT MORE THAN 30 DAYS.

6 20-302.

7 (A) TO QUALIFY FOR A CERTIFICATE, AN APPLICANT SHALL BE AN  
8 INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS SECTION.

9 (B) THE APPLICANT SHALL BE OF GOOD MORAL CHARACTER.

10 (C) THE APPLICANT SHALL HAVE COMPLETED A STATE CRIMINAL HISTORY  
11 RECORDS CHECK.

12 (D) THE APPLICANT SHALL BE AT LEAST ~~48~~ 21 YEARS OLD.

13 (E) THE APPLICANT SHALL HAVE:

14 (1) (I) A BACHELOR'S DEGREE FROM AN ACCREDITED COLLEGE OR  
15 UNIVERSITY IN A HUMAN SERVICE DISCIPLINE; AND

16 (II) AT LEAST 4 YEARS EXPERIENCE IN THE HUMAN SERVICE FIELD  
17 WITH AT LEAST 3 YEARS IN A SUPERVISORY OR ADMINISTRATIVE CAPACITY; OR

18 (2) (I) A MASTER'S DEGREE FROM AN ACCREDITED COLLEGE OR  
19 UNIVERSITY IN A HUMAN SERVICE DISCIPLINE; AND

20 (II) AT LEAST 2 YEARS EXPERIENCE IN THE HUMAN SERVICE FIELD  
21 WITH AT LEAST 1 YEAR IN A SUPERVISORY OR ADMINISTRATIVE CAPACITY.

22 (F) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, THE APPLICANT SHALL  
23 PASS AN EXAMINATION GIVEN BY THE BOARD UNDER THIS SUBTITLE.

24 20-303.

25 TO APPLY FOR A CERTIFICATE, AN APPLICANT SHALL:

26 (1) SUBMIT AN APPLICATION TO THE BOARD ON THE FORM THAT THE  
27 BOARD REQUIRES; AND

28 (2) PAY TO THE BOARD THE APPLICATION FEE SET BY THE BOARD.

29 20-304.

30 (A) THE BOARD SHALL KEEP A FILE OF EACH CERTIFICATE APPLICATION  
31 MADE UNDER THIS SUBTITLE.

32 (B) THE FILE SHALL CONTAIN:

- 1 (1) THE NAME, ADDRESS, AND AGE OF THE APPLICANT;
- 2 (2) ~~THE NAME AND ADDRESS OF THE EMPLOYER OR BUSINESS~~  
3 ~~CONNECTION OF THE APPLICANT;~~
- 4 ~~(3)~~ THE DATE OF THE APPLICATION;
- 5 ~~(4)~~ (3) COMPLETE AND CURRENT INFORMATION ON THE  
6 EDUCATIONAL, TRAINING, AND EXPERIENCE QUALIFICATIONS OF THE APPLICANT;
- 7 ~~(5)~~ (4) THE DATE THE BOARD REVIEWED AND ACTED ON THE  
8 APPLICATION;
- 9 ~~(6)~~ (5) THE ACTION TAKEN BY THE BOARD ON THE APPLICATION;
- 10 ~~(7)~~ (6) THE IDENTIFYING NUMBERS OF ANY CERTIFICATE OR  
11 RENEWAL CERTIFICATE ISSUED TO THE APPLICANT; AND
- 12 ~~(8)~~ (7) ANY OTHER INFORMATION THAT THE BOARD CONSIDERS  
13 NECESSARY.

14 (C) THE APPLICATION FILES SHALL BE OPEN TO PUBLIC INSPECTION.

15 20-305.

16 (A) AN APPLICANT WHO OTHERWISE QUALIFIES FOR A CERTIFICATE IS  
17 ENTITLED TO BE EXAMINED AS PROVIDED IN THIS SECTION.

18 (B) THE BOARD SHALL GIVE EXAMINATIONS TO APPLICANTS AT LEAST FOUR  
19 TIMES A YEAR, AT THE TIMES AND PLACES THAT THE BOARD DETERMINES.

20 (C) THE BOARD SHALL NOTIFY EACH QUALIFIED APPLICANT OF THE TIME  
21 AND PLACE OF EXAMINATION.

22 (D) (1) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE BOARD  
23 SHALL DETERMINE THE SUBJECTS, SCOPE, FORM, AND PASSING SCORE FOR  
24 EXAMINATIONS GIVEN UNDER THIS SUBTITLE.

25 (2) THE SUBJECTS OF EXAMINATION SHALL BE RELATED TO:

26 (I) HEALTH AND SAFETY ISSUES, INCLUDING:

- 27 1. NUTRITIONAL STANDARDS;
- 28 2. WATER SAFETY;
- 29 3. PREVENTATIVE AND ACUTE HEALTH CARE STANDARDS;
- 30 4. SUICIDE ASSESSMENT;
- 31 5. PREVENTION OF ABUSE AND NEGLECT; AND



1 (1) IS OF GOOD MORAL CHARACTER;

2 (2) PAYS THE APPLICATION FEE REQUIRED BY THE BOARD UNDER §  
3 20-303 OF THIS SUBTITLE; AND

4 (3) PROVIDES ADEQUATE EVIDENCE THAT:

5 (I) AT THE TIME THE APPLICANT WAS CERTIFIED IN THE OTHER  
6 STATE, THE APPLICANT WAS QUALIFIED TO TAKE THE EXAMINATION THAT THEN  
7 WAS REQUIRED BY THE LAWS OF THIS STATE;

8 (II) THE APPLICANT QUALIFIED FOR A CERTIFICATE IN THE OTHER  
9 STATE BY PASSING AN EXAMINATION GIVEN IN THAT OR ANY OTHER STATE; AND

10 (III) THE APPLICANT HAS COMPLETED A STATE CRIMINAL HISTORY  
11 RECORDS CHECK.

12 (C) THE BOARD SHALL WAIVE THE REQUIREMENTS FOR CERTIFICATION AS A  
13 CERTIFIED PROGRAM ADMINISTRATOR UNDER § 20-302 OF THIS ~~TITLE~~ SUBTITLE FOR  
14 ANY PERSON WHO:

15 (1) HAS FILED A LETTER OF INTENT WITH THE BOARD BY OCTOBER 1,  
16 2007;

17 (2) HAS COMPLETED NOT LESS THAN 8 YEARS' EXPERIENCE IN THE  
18 HUMAN SERVICE FIELD WITH AT LEAST 4 YEARS IN A SUPERVISORY OR  
19 ADMINISTRATIVE CAPACITY; AND

20 (3) HAS BY OCTOBER 1, 2007, SUCCESSFULLY PASSED AN EXAMINATION  
21 APPROVED BY THE BOARD.

22 20-307.

23 (A) THE BOARD SHALL ISSUE A CERTIFICATE TO ANY APPLICANT WHO MEETS  
24 THE REQUIREMENTS OF THIS TITLE.

25 (B) THE BOARD SHALL INCLUDE ON EACH CERTIFICATE THAT THE BOARD  
26 ISSUES:

27 (1) THE FULL NAME OF THE CERTIFICATE HOLDER;

28 (2) A SERIAL NUMBER; AND

29 (3) THE SEAL OF THE BOARD.

30 (C) THE BOARD MAY ISSUE A CERTIFICATE TO REPLACE A LOST, DESTROYED,  
31 OR MUTILATED CERTIFICATE IF THE CERTIFICATE HOLDER PAYS THE CERTIFICATE  
32 REPLACEMENT FEE SET BY THE BOARD.

1 20-308.

2 THE APPLICANT MAY APPEAL A DECISION OF THE BOARD THAT RELATES TO  
3 ISSUING OR RENEWING A CERTIFICATE TO THE BOARD OF REVIEW AS PROVIDED IN §  
4 20-315(A) OF THIS SUBTITLE.

5 20-309.

6 A CERTIFICATE AUTHORIZES THE INDIVIDUAL TO ADMINISTER A PROGRAM  
7 WHILE THE CERTIFICATE IS EFFECTIVE.

8 20-310.

9 (A) (1) A CERTIFICATE EXPIRES ON A DATE SET BY THE BOARD, UNLESS THE  
10 CERTIFICATE IS RENEWED FOR AN ADDITIONAL TERM AS PROVIDED IN THIS  
11 SECTION.

12 (2) A CERTIFICATE MAY NOT BE RENEWED FOR A TERM LONGER THAN 2  
13 YEARS.

14 (B) AT LEAST 1 MONTH BEFORE THE CERTIFICATE EXPIRES, THE BOARD  
15 SHALL SEND TO THE CERTIFIED PROGRAM ADMINISTRATOR, BY FIRST-CLASS MAIL  
16 TO THE LAST KNOWN ADDRESS OF THE CERTIFIED PROGRAM ADMINISTRATOR, A  
17 RENEWAL NOTICE THAT STATES:

18 (1) THE DATE ON WHICH THE CURRENT CERTIFICATE EXPIRES;

19 (2) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE  
20 RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND MAILED BEFORE  
21 THE CERTIFICATE EXPIRES; AND

22 (3) THE AMOUNT OF THE RENEWAL FEE.

23 (C) BEFORE THE CERTIFICATE EXPIRES, THE CERTIFIED PROGRAM  
24 ADMINISTRATOR PERIODICALLY MAY RENEW IT FOR AN ADDITIONAL 2-YEAR TERM,  
25 IF THE CERTIFIED PROGRAM ADMINISTRATOR:

26 (1) OTHERWISE IS ENTITLED TO OBTAIN A CERTIFICATE;

27 (2) PAYS TO THE BOARD A RENEWAL FEE SET BY THE BOARD; AND

28 (3) SUBMITS TO THE BOARD:

29 (I) A RENEWAL APPLICATION ON THE FORM THAT THE BOARD  
30 REQUIRES; AND

31 (II) SATISFACTORY EVIDENCE OF COMPLIANCE WITH ANY  
32 CONTINUING EDUCATION AND OTHER QUALIFICATIONS AND REQUIREMENTS SET  
33 UNDER THIS SECTION FOR CERTIFICATE RENEWAL.

1 (D) IN ADDITION TO ANY OTHER QUALIFICATIONS AND REQUIREMENTS  
2 ESTABLISHED IN CONSULTATION WITH THE SUBCABINET, THE BOARD MAY SET  
3 CONTINUING EDUCATION REQUIREMENTS AS A CONDITION FOR THE RENEWAL OF  
4 CERTIFICATES UNDER THIS SECTION.

5 (E) THE BOARD SHALL RENEW THE CERTIFICATE OF EACH CERTIFIED  
6 PROGRAM ADMINISTRATOR WHO MEETS THE REQUIREMENTS OF THIS SECTION.

7 20-311.

8 (A) THE BOARD SHALL REINSTATE THE CERTIFICATE OF A PROGRAM  
9 ADMINISTRATOR WHO HAS FAILED TO RENEW THE CERTIFICATE FOR ANY REASON,  
10 IF THE INDIVIDUAL:

11 (1) HAS NOT HAD THE CERTIFICATE SUSPENDED OR REVOKED;

12 (2) MEETS THE RENEWAL REQUIREMENTS OF § 20-310 OF THIS  
13 SUBTITLE;

14 (3) PAYS TO THE BOARD THE REINSTATEMENT FEE SET BY THE BOARD;

15 (4) SUBMITS TO THE BOARD SATISFACTORY EVIDENCE OF COMPLIANCE  
16 WITH THE QUALIFICATIONS AND REQUIREMENTS ESTABLISHED UNDER THIS TITLE  
17 FOR CERTIFICATE REINSTATEMENTS; AND

18 (5) APPLIES TO THE BOARD FOR REINSTATEMENT OF THE CERTIFICATE  
19 WITHIN 5 YEARS AFTER THE CERTIFICATE EXPIRES.

20 (B) (1) THE BOARD MAY NOT REINSTATE THE CERTIFICATE OF A PROGRAM  
21 ADMINISTRATOR WHO FAILS TO APPLY FOR REINSTATEMENT OF THE CERTIFICATE  
22 WITHIN 5 YEARS AFTER THE CERTIFICATE EXPIRES.

23 (2) HOWEVER, THE PROGRAM ADMINISTRATOR MAY BE CERTIFIED BY  
24 MEETING THE CURRENT REQUIREMENTS FOR OBTAINING A NEW CERTIFICATE  
25 UNDER THIS TITLE.

26 20-312.

27 (A) UNLESS THE BOARD AGREES TO ACCEPT THE SURRENDER OF A  
28 CERTIFICATE, A CERTIFIED PROGRAM ADMINISTRATOR MAY NOT SURRENDER THE  
29 CERTIFICATE NOR MAY THE CERTIFICATE LAPSE BY OPERATION OF LAW WHILE THE  
30 CERTIFIED PROGRAM ADMINISTRATOR IS UNDER INVESTIGATION OR WHILE  
31 CHARGES ARE PENDING AGAINST THE CERTIFIED PROGRAM ADMINISTRATOR.

32 (B) THE BOARD MAY SET CONDITIONS ON ITS AGREEMENT WITH THE  
33 CERTIFIED PROGRAM ADMINISTRATOR UNDER INVESTIGATION OR AGAINST WHOM  
34 CHARGES ARE PENDING TO ACCEPT SURRENDER OF THE CERTIFIED PROGRAM  
35 ADMINISTRATOR'S CERTIFICATE.

1 20-313.

2 (A) THE BOARD SHALL INVESTIGATE AND TAKE APPROPRIATE ACTION AS TO  
3 ANY COMPLAINT FILED WITH THE BOARD THAT ALLEGES THAT A CERTIFIED  
4 PROGRAM ADMINISTRATOR HAS FAILED TO MEET ANY STANDARD OF THE BOARD.

5 (B) SUBJECT TO THE HEARING PROVISIONS OF § 20-314 OF THIS SUBTITLE,  
6 THE BOARD MAY DENY A CERTIFICATE TO ANY APPLICANT, REPRIMAND ANY  
7 CERTIFIED PROGRAM ADMINISTRATOR, PLACE ANY CERTIFIED PROGRAM  
8 ADMINISTRATOR ON PROBATION, OR SUSPEND OR REVOKE A CERTIFICATE IF THE  
9 APPLICANT OR CERTIFIED PROGRAM ADMINISTRATOR:

10 (1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO  
11 OBTAIN A CERTIFICATE FOR A PROGRAM ADMINISTRATOR OR FOR ANOTHER;

12 (2) FRAUDULENTLY OR DECEPTIVELY USES A CERTIFICATE;

13 (3) OTHERWISE FAILS TO MEET SUBSTANTIALLY THE STANDARDS FOR  
14 CERTIFICATION ADOPTED BY THE BOARD UNDER § 20-205 OF THIS TITLE;

15 (4) IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE TO A  
16 FELONY OR TO A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT ANY  
17 APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA  
18 SET ASIDE;

19 (5) PERFORMS THE DUTIES OF A PROGRAM ADMINISTRATOR WHILE:

20 (I) UNDER THE INFLUENCE OF ALCOHOL; OR

21 (II) USING ANY NARCOTIC OR CONTROLLED DANGEROUS  
22 SUBSTANCE, AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE, OR OTHER  
23 DRUG THAT IS IN EXCESS OF THERAPEUTIC AMOUNTS OR WITHOUT VALID MEDICAL  
24 INDICATION;

25 (6) IS DISCIPLINED BY A LICENSING OR DISCIPLINARY AUTHORITY OF  
26 ANY OTHER STATE OR COUNTRY OR CONVICTED OR DISCIPLINED BY A COURT OF  
27 ANY STATE OR COUNTRY FOR AN ACT THAT WOULD BE GROUNDS FOR DISCIPLINARY  
28 ACTION UNDER THE BOARD'S DISCIPLINARY STATUTES;

29 (7) PERFORMS THE DUTIES OF A PROGRAM ADMINISTRATOR WITH AN  
30 UNAUTHORIZED PERSON OR SUPERVISES OR AIDS AN UNAUTHORIZED PERSON IN  
31 PERFORMING THE DUTIES OF A PROGRAM ADMINISTRATOR;

32 (8) WILLFULLY MAKES OR FILES A FALSE REPORT OR RECORD WHILE  
33 PERFORMING THE DUTIES OF A PROGRAM ADMINISTRATOR;

34 (9) WILLFULLY FAILS TO FILE OR RECORD ANY REPORT AS REQUIRED  
35 UNDER LAW, WILLFULLY IMPEDES OR OBSTRUCTS THE FILING OR RECORDING OF  
36 THE REPORT, OR INDUCES ANOTHER TO FAIL TO FILE OR RECORD THE REPORT;

1 (10) SUBMITS A FALSE STATEMENT TO COLLECT A FEE;

2 (11) COMMITS AN ACT OF UNPROFESSIONAL CONDUCT IN PERFORMING  
3 THE DUTIES OF A PROGRAM ADMINISTRATOR; OR

4 (12) REFUSES, WITHHOLDS FROM, DENIES, OR DISCRIMINATES AGAINST  
5 AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL SERVICES FOR  
6 WHICH THE INDIVIDUAL IS CERTIFIED AND QUALIFIED TO RENDER BECAUSE THE  
7 INDIVIDUAL IS HIV POSITIVE.

8 20-314.

9 (A) EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE  
10 ACT, BEFORE THE BOARD TAKES ANY ACTION UNDER § 20-313 OF THIS SUBTITLE, IT  
11 SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN  
12 OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

13 (B) THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN  
14 ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

15 (C) OVER THE SIGNATURE OF AN OFFICER OR THE EXECUTIVE SECRETARY OF  
16 THE BOARD, THE BOARD MAY ISSUE SUBPOENAS AND ADMINISTER OATHS IN  
17 CONNECTION WITH ANY INVESTIGATION UNDER THIS TITLE AND ANY HEARINGS OR  
18 PROCEEDINGS BEFORE IT.

19 (D) IF, WITHOUT LAWFUL EXCUSE, A PERSON DISOBEYS A SUBPOENA FROM  
20 THE BOARD OR AN ORDER BY THE BOARD TO TAKE AN OATH OR TO TESTIFY OR  
21 ANSWER A QUESTION, THEN, ON PETITION OF THE BOARD, A COURT OF COMPETENT  
22 JURISDICTION MAY PUNISH THE PERSON AS FOR CONTEMPT OF COURT.

23 (E) IF AFTER DUE NOTICE THE INDIVIDUAL AGAINST WHOM THE ACTION IS  
24 CONTEMPLATED FAILS OR REFUSES TO APPEAR, THE BOARD MAY HEAR AND  
25 DETERMINE THE MATTER.

26 20-315.

27 (A) EXCEPT AS PROVIDED IN THIS SECTION FOR AN ACTION UNDER § 20-313  
28 OF THIS SUBTITLE, ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD IN  
29 A CONTESTED CASE, AS DEFINED IN THE ADMINISTRATIVE PROCEDURE ACT, MAY:

30 (1) APPEAL THAT DECISION TO THE BOARD OF REVIEW; AND

31 (2) THEN TAKE ANY FURTHER APPEAL ALLOWED BY THE  
32 ADMINISTRATIVE PROCEDURE ACT.

33 (B) (1) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD  
34 UNDER § 20-314 OF THIS SUBTITLE MAY NOT APPEAL TO THE SECRETARY OR BOARD  
35 OF REVIEW BUT MAY TAKE A DIRECT JUDICIAL APPEAL.

1 (2) THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL REVIEW  
2 OF FINAL DECISIONS IN THE ADMINISTRATIVE PROCEDURE ACT.

3 SUBTITLE 4. PROHIBITED ACTS; PENALTIES.

4 20-401.

5 EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL MAY NOT:

6 (1) PERFORM THE DUTIES OF, ATTEMPT TO PERFORM THE DUTIES OF,  
7 OR OFFER TO PERFORM THE DUTIES OF A PROGRAM ADMINISTRATOR IN THIS STATE  
8 UNLESS CERTIFIED BY THE BOARD; OR

9 (2) SUPERVISE, DIRECT, INDUCE, OR AID AN UNCERTIFIED INDIVIDUAL  
10 TO PERFORM THE DUTIES OF A PROGRAM ADMINISTRATOR.

11 20-402.

12 (A) UNLESS AUTHORIZED TO PERFORM THE DUTIES OF A PROGRAM  
13 ADMINISTRATOR UNDER THIS TITLE, A PERSON MAY NOT REPRESENT TO THE  
14 PUBLIC BY TITLE, BY DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR  
15 OTHERWISE, THAT THE PERSON IS A PROGRAM ADMINISTRATOR IN THIS STATE.

16 (B) UNLESS AUTHORIZED TO PRACTICE UNDER THIS TITLE, A PERSON MAY  
17 NOT USE THE TITLE "~~CHILDREN'S-GROUP HOME~~ RESIDENTIAL CHILD CARE  
18 PROGRAM ADMINISTRATOR" OR ANY OTHER DESIGNATION, TITLE, OR ABBREVIATION  
19 WITH THE INTENT TO REPRESENT THAT THE PERSON IS AUTHORIZED TO PERFORM  
20 THE DUTIES OF A PROGRAM ADMINISTRATOR.

21 20-403.

22 A PERSON MAY NOT:

23 (1) SELL OR FRAUDULENTLY OBTAIN OR FURNISH OR AID IN SELLING  
24 OR FRAUDULENTLY OBTAINING OR FURNISHING A CERTIFICATE ISSUED UNDER  
25 THIS TITLE; OR

26 (2) PERFORM THE DUTIES OF A PROGRAM ADMINISTRATOR UNDER ANY  
27 CERTIFICATE UNLAWFULLY OR FRAUDULENTLY OBTAINED OR ISSUED.

28 20-404.

29 EXCEPT WHEN A PROGRAM ADMINISTRATOR IS REMOVED FROM THE POSITION  
30 BY DEATH OR FOR ANY OTHER UNEXPECTED CAUSE AS PROVIDED IN § 20-301 OF  
31 THIS TITLE, A PROGRAM MAY NOT BE OPERATED UNLESS IT IS UNDER THE  
32 SUPERVISION OF A CERTIFIED PROGRAM ADMINISTRATOR.

1 20-405.

2 A PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A  
3 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

4 (1) A FINE NOT EXCEEDING \$1,000 FOR A FIRST OFFENSE; AND

5 (2) A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 6  
6 MONTHS OR BOTH FOR ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION.

7 SUBTITLE 5. SHORT TITLE; TERMINATION OF TITLE.

8 20-501.

9 THIS TITLE MAY BE CITED AS THE "MARYLAND CERTIFICATION OF PROGRAM  
10 ADMINISTRATORS FOR ~~CHILDREN'S GROUP HOME~~ RESIDENTIAL CHILD CARE  
11 PROGRAMS ACT".

12 20-502.

13 SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THE  
14 PROGRAM EVALUATION ACT, THIS TITLE AND ALL REGULATIONS ADOPTED UNDER  
15 THIS TITLE SHALL TERMINATE AND BE OF NO EFFECT AFTER JULY 1, 2014.

16 **Article - State Government**

17 8-403.

18 (a) On or before December 15 of the 2nd year before the evaluation date of a  
19 governmental activity or unit, the Legislative Policy Committee, based on a  
20 preliminary evaluation, may waive as unnecessary the evaluation required under this  
21 section.

22 (b) Except as otherwise provided in subsection (a) of this section, on or before  
23 the evaluation date for the following governmental activities or units, an evaluation  
24 shall be made of the following governmental activities or units and the statutes and  
25 regulations that relate to the governmental activities or units:

26 (13) ~~CHILDREN'S GROUP HOME~~ RESIDENTIAL CHILD CARE PROGRAM  
27 ADMINISTRATORS, STATE BOARD FOR CERTIFICATION OF (§ 20-202 OF THE HEALTH  
28 OCCUPATIONS ARTICLE: JULY 1, 2013);

29 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the  
30 General Assembly that the Governor provide funds in the fiscal year 2006 budget at a  
31 level sufficient enough to allow the State Board for Certification of ~~Children's Group~~  
32 ~~Home Residential Child Care~~ Program Administrators to begin operating as a  
33 regulatory board, and when special funds become available for the regulation of  
34 ~~children's group home residential child care~~ program administrators, special funds  
35 shall be used to reimburse the General Fund for the cost of starting up the Board.

1 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2004.